IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 32044 of 2006(M)

PETITIONER:

C.V.VINODKUMAR, CHERULLIL,
CHAURIYEDATH, PULLUT, KODUNGALLUR.

BY ADV. SRI.M.C.JOHN

RESPONDENTS:

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1. THE TAHSILDAR (REVENUE RECOVERY),
TALUK OFFICE, KODUNGALLUR.

2. THE WELFARE FUND INSPECTOR,
TODDY WORKERS' WELFARE FUND BOARD,
THRISSUR.

3. C.K.VIJAYAN, CHERULLIL CHOURIYEDATH,
PULLUT, KODUNGALLUR.

4. THE DISTRICT COLLECTOR, THRISSUR.

R1 & R4 BY G.P. SRI. I.V. PRAMOD
R2 BY SC SRI. K. HARILAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 32044 OF 2006

Dated this the 8th day of January, 2007

JUDGMENT

Petitioner, defaulter's son, is challenging recovery proceedings for recovery of arrears of toddy workers welfare fund dues due from the third respondent. If the petitioner or any other person has any claim in the attached property, it is for them to file claim petition under Section 46 of the RR Act. If the petitioner has only ownership of adjacent property then petitioner has no right to interfere with recovery proceedings. W.P. is closed with the above observation. If building is constructed in the attached property and adjacent property, nothing stops the Tahsildar from selling the attached property with the portion of the building therein.

(C.N.RAMACHANDRAN NAIR)
Judge